

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Robert M. Taylor
Debtor(s)

Bankruptcy Case No.: 18-24463-GLT
Issued Per 9/12/2019 Proceeding
Chapter: 13
Docket No.: 65 – 61
Concil. Conf.: September 12, 2019 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 7, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,535.00 as of September, 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 12, 2019 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 1 of Penn Hills School District and Municipality and Claim No. 10 of SG Mortgage Securities .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

Attorney fees based on retainer of \$690.00.

The Debtor shall appropriately pursue the claim dispute as to (name the Claimant(s): PHFA.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: September 16, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Robert M. Taylor
 Debtor

Case No. 18-24463-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 18

Date Rcvd: Sep 16, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 18, 2019.

db
 14949076 +Robert M. Taylor, 111 Crescent Hills Road, Pittsburgh, PA 15235-1802
 14949079 +American Servicing Co., P.O. Box 1820, Newark, NJ 07101-1820
 14972140 +Duquesne Light Company, P.O. Box 67, Pittsburgh, PA 15267-0067
 14949080 ECMC, PO BOX 16408, ST. PAUL, MN 55116-0408
 14949081 Oakmont Water Authority, P.O. Box 73, Oakmont, PA 15139-0073
 14955487 +Ocwen Mortgage, P.O. Box 9001719, Louisville, KY 40290-1719
 +Penn Hills School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3,
 Pittsburgh, PA 15235-4441
 14949082 +Peoples Natural Gas, P.O. Box 644760, Pittsburgh, PA 15264-4760
 14975168 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14976950 +The Bank of Missouri, PO Box 105555, Atlanta, GA 30348-5555
 14982464 +U.S. Bank National Association Trustee (See 410), c/o Specialized Loan Servicing LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14949075 E-mail/Text: amscbankruptcy@adt.com Sep 17 2019 03:53:59 ADT Security Services,
 P.O. Box 371490, Pittsburgh, PA 15250-7490
 14949077 +E-mail/Text: g20956@att.com Sep 17 2019 03:53:43 At&T Mobility, P.O. Box 6416,
 Carol Stream, IL 60197-6416
 14949078 +E-mail/Text: Bankruptcy.Consumer@dish.com Sep 17 2019 03:53:04 Dish Network,
 P.O. Box 94063, Palatine, IL 60094-4063
 14979802 +E-mail/Text: kborkley@bernsteinlaw.com Sep 17 2019 03:53:51 Duquesne Light Company,
 c/o Bernstein-Borkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14970057 E-mail/PDF: resurgentbknofications@resurgent.com Sep 17 2019 03:59:52 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14977366 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Sep 17 2019 03:59:07 Verizon,
 by American InfoSource as agent, PO Box 248838, Oklahoma City, OK 73124-8838
 14949083 E-mail/Text: wfmelectronicbankruptcy@verizonwireless.com Sep 17 2019 03:52:11
 Verizon Wireless, P.O. Box 15124, Albany, NY 12212-5124

TOTAL: 7

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Specialized Loan Servicing as servicer for SG Mort
 cr* +Duquesne Light Company, c/o Bernstein-Borkley, P.C.,
 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
 cr* +Penn Hills School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3,
 Pittsburgh, PA 15235-4441
 cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 14956406* ADT Security Services, P.O. Box 371490, Pittsburgh, PA 15250-7490
 14956407* +American Servicing Co., P.O. Box 1820, Newark, NJ 07101-1820
 14956408* +At&T Mobility, P.O. Box 6416, Carol Stream, IL 60197-6416
 14956409* +Dish Network, P.O. Box 94063, Palatine, IL 60094-4063
 14956410* +Duquesne Light Company, P.O. Box 67, Pittsburgh, PA 15267-0067
 14956411* Oakmont Water Authority, P.O. Box 73, Oakmont, PA 15139-0073
 14956412* +Ocwen Mortgage, P.O. Box 9001719, Louisville, KY 40290-1719
 14956413* +Peoples Natural Gas, P.O. Box 644760, Pittsburgh, PA 15264-4760
 14956414* Verizon Wireless, P.O. Box 15124, Albany, NY 12212-5124

TOTALS: 1, * 12, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 18, 2019

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 18

Date Rcvd: Sep 16, 2019

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 16, 2019 at the address(es) listed below:

Franklin L. Robinson, Jr. on behalf of Plaintiff Robert M. Taylor frobi69704@aol.com,
flrlegal@excite.com;robinsonfr66530@notify.bestcase.com
Franklin L. Robinson, Jr. on behalf of Debtor Robert M. Taylor frobi69704@aol.com,
flrlegal@excite.com;robinsonfr66530@notify.bestcase.com
James Warmbrodt on behalf of Creditor Specialized Loan Servicing as servicer for SG Mortgage
Securities Trust 2006-FRE2, Asset Backed Certificates, Series 2006-FRE2, U.S. Bank National
Association, as Trustee bkgroup@kmlawgroup.com
Jennifer L. Cerce on behalf of Creditor Penn Hills School District jlc@mbm-law.net
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 8